

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MICHAEL McDERMOTT,

Plaintiff,

-against-

LIBERTY MARITIME CORP., ALLIANCE  
NEW YORK CITY LLC, AND LIBERTY  
GLOBAL LOGISTICS, LLC,

Defendants.  
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**ORDER**

08-CV-1503 (KAM) (ALC)

Plaintiff Michael McDermott, through counsel, request that I reconsider part of my March 12, 2010 order that denied his request for all of Defendants' medical experts to examine him via videoconference with respect to his maintenance and cure claims. See Docket Entry Nos. 71-72. Plaintiff states that in light of his medical condition, it is difficult for him to travel to New York a second time for medical examination. In my previous order, I noted that it would be difficult, and prejudicial towards Defendants, for a neurologist and ophthalmologist to examine Plaintiff by videoconference. I urged the parties to explore whether Defendants' psychiatric expert can properly examine Plaintiff through a videoconference. I also urged the parties to work together to reconcile Plaintiff's difficulty travelling to New York with Defendants' right to have their independent medical experts examine Plaintiff.

In his motion for reconsideration, Plaintiff fails to point to any matters or controlling authorities I overlooked making my original decision. Accordingly, Plaintiff's application for reconsideration is **DENIED**. However, by April 1, 2010, Defendants shall submit a letter explaining why their psychiatric expert cannot examine Plaintiff through a videoconference.

Defendants shall also explain if it is feasible to have other independent medical experts residing in Florida to examine Plaintiff in Florida.

**SO ORDERED**

**Dated: March 22, 2010**  
**Brooklyn, New York**

  
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**HONORABLE ANDREW L. CARTER, JR.**  
**UNITED STATES MAGISTRATE JUDGE**